

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:20-cv-00207-RJC-DCK**

SELECTIVE INSURANCE COMPANY OF SOUTH CAROLINA,)	
)	
)	
Plaintiff,)	
)	
)	
v.)	<u>Order</u>
)	
)	
ADAM C. DUFFY, LAWN ETC., LLC, and LYDIA DUFFY,)	
)	
)	
Defendants.		

THIS MATTER comes before the Court on Defendants' motion to lift the stay of this action on the grounds that the arbitration proceedings between the parties have been concluded by the return of the final Arbitral Awards. (DE 19). In addition to lifting the stay, Defendants also request the Court to direct Plaintiff to "replead or otherwise amend the allegations of the Complaint to reflect the results of the arbitration proceedings and the extent to which said results alter or otherwise affect the cause of action alleged in, or the relief sought by, the Complaint." (DE 19 at 1). Plaintiff consents to lifting the stay, but not to a Court ordered amendment of the Complaint. (DE 20 at 1–2). In support, Plaintiff notes that Defendants cited no legal support for the requirement to amend the Complaint and argues that the Rules of Civil Procedure sufficiently govern pleadings without this additional requirement. The Court agrees with Plaintiff and will allow the Rules of Civil Procedure to govern the Complaint. *See, e.g.*, FED. R. CIV. P. 3, 7, 8, and 10.

IT IS, THEREFORE, ORDERED that Defendants' motion to lift the stay is **GRANTED** in part as to lifting the stay and **DENIED** in part as to requiring Plaintiff to amend the Complaint.

SO ORDERED.

Signed: April 5, 2022

Robert J. Conrad Jr.

Robert J. Conrad, Jr.
United States District Judge

